

24. (Recited) A skateboard as recited in claim 1, wherein said board deflects less than 0.203 in. with a load of 250 lbs.

REMARKS

Applicants would like to thank the Examiner for the courteous interview extended to their attorney on September 12, 2000. During that interview, Applicants' attorney and the Examiner agreed that at least the addition of "extruded" to independent claim 1 would define over the Houser reference.

Claims 1, 2, 5-9, 23, and 24 are pending in the present application. All of these claims stand rejected under 35 U.S.C. 103(a). Claim 4 has been cancelled. Claim 1 has been amended to further clarify the subject matter that Applicants regard as the invention. Applicants respectfully request reconsideration and allowance of the above-identified application in view of the above amendments and the following remarks.

35 U.S.C. §103, Houser in view of Dickert

In regard to the rejection of claims 1, 2, 5, 8, 9, 23 and 24 as being unpatentable over Houser in view of Dickert, Applicants respectfully traverse this rejection because the cited combination of these references does not achieve the claimed invention. The claimed skateboard includes, among other features that have been discussed at length during the prosecution of the present application, an extruded aluminum metal board with a width adapted to accommodate the user's feet in a direction generally perpendicular to the longitudinal axis of the board. In contrast, Houser and Dickert do not relate to a skateboard including an extruded aluminum metal board, but to non-extruded water skis and snow skis, respectively. Not only are water skis and snow skis different from skateboards, the dynamic action of skiing, or gliding, is nonanalogous to the dynamic action of skateboarding. Skiing requires the rider to bind each foot longitudinally parallel to a separate ski, so the skis act as extensions of the rider's feet. Skateboarding, in contrast, typically requires the rider to stand, with feet unbound, on a single skateboard with both feet generally perpendicular to the longitudinal axis of the skateboard, so the skateboard acts as an independent vehicle wholly separate from the rider. While gliding (or "skiing") the rider moves smoothly and effortlessly, as over snow or water,

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skateboarding requires the rider to remove one foot from the skateboard and push against the riding surface in order to propel the skateboard. Further, skateboards are adapted to be ridden on a hard surface, i.e., cement or pavement compared to water/snow, and undergo much greater stress during normal activity than a water ski or snow ski because of the harder surface that the skateboard is ridden on. Further, skateboards are frequently used for jumping onto such a surface or other surfaces. Thus, the water ski and snow ski teachings of Houser and Dickert, respectively, are not applicable to skateboards and the combination of these references does not achieve the claimed invention. Therefore, Applicants respectfully request that this rejection be withdrawn.

In regard to claims 5 and 8, Dickert in combination with Houser does not disclose, teach, or suggest an arcuate shaped front end and an arcuate shaped rear end, and a bent-up front tip portion and a bent-up rear tip portion, further evidencing that these references do not relate to skateboards.

In regard to claims 23 and 24, Dickert in combination with Houser does not disclose, teach, or suggest a skateboard with these particular force-to-deflection characteristics. These force-to-deflection characteristics are possible as a result of the particular skateboard structure recited in claim 1 and are desirable qualities for a skateboard to have in view of the greater stress that skateboards undergo on harder surfaces, i.e., cement or pavement compared to water/snow. Dickert in combination with Houser does not disclose, teach, or suggest a skateboard, and especially does not disclose, teach, or suggest these force-to-deflection characteristics.

Therefore, Applicants respectfully submit that claims 1, 2, 5, 8, 9, 23 and 24 are not obvious over Houser in view of Dickert because the combination of Houser and Dickert does not achieve the claimed skateboard. Applicants respectfully request that this rejection be withdrawn.

35 U.S.C. §103, Houser as modified by Dickert, in further view of Joyce

In regard to the rejection of claim 6 as being unpatentable over Houser as modified by Dickert, in further view of Joyce, Applicants respectfully submit that these claims are not obvious for the reasons given above with respect to Houser in view of Dickert. Joyce also does not disclose, teach, or suggest a skateboard. Moreover, proper motivation does not exist to combine Joyce with Houser and Dickert. The bumper of Joyce is used to protect buoyant fiberglass or wooden surfboards from submarine impacts typically encountered while surfing. In contrast, the water ski of

Houser is made of a much more durable material (aluminous metal) than that used in Joyce and is not prone to the same types of problems caused by submarine impacts. Therefore, Applicants respectfully submit that claim 6 is not obvious over Houser in view of Dickert and further in view of Joyce because the combination does not achieve the claimed skateboard, and proper motivation does not exist to combine Joyce with Dickert and Houser. Applicants respectfully request that this rejection be withdrawn.

35 U.S.C. §103, Houser as modified by Dickert, in further view of Schorr

In regard to the rejection of claim 7 as being unpatentable over Houser as modified by Dickert, in further view of Schorr, Applicants respectfully submit that this claim is not obvious for the reasons given above with respect to Houser in view of Dickert. Applicants respectfully request that this rejection be withdrawn.

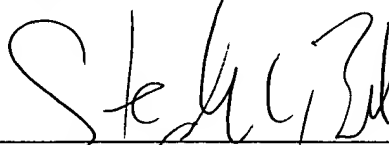
CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the application is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully urged to contact the undersigned at the number listed below.

Respectfully submitted,

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